

II. REMARKS / ARGUMENTS

The Applicants gratefully acknowledge the potential allowability of claims 2 to 18, 21 to 37 and 49 to 56.

A. Summary of the Amendments

The application now contains forty-five (45) claims, numbered 1 to 38, 48 to 52, 54 and 56.

Claims 1, 2, 13, 20, 21, 32, 48, 54 and 56 have been amended.

Claims 39 to 47, 53, 55 and 57 to 67 have been cancelled without prejudice.

No new matter has been added to the application by the present response.

B. Withdrawal of Claims 57 to 67 by Examiner

On page 2 of the Final Office Action, the Examiner indicated that he considers claims 57 to 67, which were submitted with the response to the Office Action of May 12, 2005, as being directed to an invention that is independent or distinct from the invention originally claimed. The Examiner thus indicated that claims 57 to 67 are withdrawn from consideration as being directed to a non-elected invention.

Claims 57 to 67 have been cancelled. The Applicants respectfully reserve the right to pursue one or more of these claims in one or more divisional applications that may be filed prior to issuance to patent of the present application.

C. Rejection of Claims 1, 19, 20, 38 and 48 under 35 USC 103

On page 4 of the Final Office Action, the Examiner rejected claims 1, 19, 20, 38 and 48 under 35 USC 103(a) as being unpatentable over U.S. Patent 6,067,391 to Land.

In addition, on pages 2 and 3 of the Final Office Action, the Examiner indicated that claim 53 would be allowable if rewritten in independent form including all of the elements of its base claim, i.e., claim 1. The Examiner also indicated that claim 55 would be allowable if rewritten in independent form including all of the elements of its base claim, i.e., claim 20.

As described below, it is respectfully submitted that claims 1, 19, 20, 38 and 48, as amended, are in condition for allowance.

Independent claim 1

Claim 1 has been amended to include the elements of claim 53, which is now cancelled. In view of the Examiner's statement regarding potential allowability of claim 53, it is respectfully submitted that claim 1 as amended is in condition for allowance.

Dependent claim 19

Claim 19 depends on claim 1 and therefore includes by reference all of the elements of claim 1. Thus, for the same reasons as those set forth above in respect of claim 1, it is respectfully submitted that claim 19 is in condition for allowance.

Independent claim 20

Claim 20 has been amended to include the elements of claim 55, which is now cancelled. In view of the Examiner's statement regarding potential allowability of claim 55, it is respectfully submitted that claim 20 as amended is in condition for allowance.

Dependent claim 38

Claim 38 depends on claim 20 and therefore includes by reference all of the elements of claim 20. Thus, for the same reasons as those set forth above in respect of claim 20, it is respectfully submitted that claim 38 is in condition for allowance.

Independent claim 48


Claim 48 has been amended to include the elements of claim 53, which is now cancelled. In view of the Examiner's statement regarding potential allowability of claim 53, it is respectfully submitted that claim 48 as amended is in condition for allowance.

III. CONCLUSION

The Applicants respectfully submit that claims 1 to 38, 48 to 52, 54 and 56 are in condition for allowance. Favourable reconsideration is requested. Early allowance of the application is earnestly solicited.

If the application is not considered to be in full condition for allowance, for any reason, the Applicants respectfully request the constructive assistance and suggestions of the Examiner in drafting one or more acceptable claims pursuant to MPEP 707.07(j) or in making constructive suggestions pursuant to MPEP 706.03 so that the application can be placed in allowable condition as soon as possible and without the need for further proceedings.

Respectfully submitted,


Stephan P. Georgiev
Agent for the Applicants
Reg. No. 37,563

Date: February 23, 2006

SMART & BIGGAR
1000 De La Gauchetière Street West
Suite 3300
Montreal, Quebec, H3B 4W5
CANADA
Telephone: (514) 954-1500
Fax: (514) 954-1396